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To: Mayor Michael D. Antonovich
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From: Sachi A. Hamai
Interim Chief Executive Officer

SACRAMENTO UPDATE – HUMAN TRAFFICKING LEGISLATION

Executive Summary

The memorandum contains reports on the following human trafficking-related legislation:

- **Pursuit of County Position to Support SCR 88 (Runner).** This measure would proclaim the month of January 2016 as Human Trafficking Awareness Month and encourage the planning of events that bring visibility and support to efforts recognizing and combatting human trafficking. Therefore, unless otherwise directed by the Board, consistent with: 1) the Board-approved motion of January 13, 2015, declaring January to be National Human Trafficking Awareness Month in Los Angeles County; and 2) existing policy to support proposals that develop or enhance programs and services, and increase protections for victims of commercial sexual exploitation, **the Sacramento advocates will support SCR 88.**

Status of County Advocacy Legislation

- **County-supported AB 1051 (Maienschein)** - related to human trafficking and criminal gang activity, was held in the Senate Appropriations Committee on August 27, 2015 and it will not proceed this year.

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Legislation of County Interest

- **AB 15 (Holden)** - related to human trafficking civil lawsuit statutes of limitation, passed the Senate Appropriations Committee on August 27, 2015.
- **SB 794 (Committee on Human Services)** - related to aligning State and Federal laws on human trafficking, passed the Assembly Appropriations Committee on August 27, 2015.

Pursuit of County Position on Legislation

SCR 88 (Runner), which as introduced on August 25, 2015, would proclaim the month of January 2016 as Human Trafficking Awareness Month and encourage the planning of events that bring visibility and support to efforts recognizing and combatting human trafficking.

SCR 88 would make various legislative findings regarding human trafficking. The measure would also: 1) proclaim the month of January 2016 as Human Trafficking Awareness Month in California to encourage greater awareness of human trafficking; 2) encourage Californians to become educated about human trafficking; 3) encourage Californians make efforts to eradicate human trafficking; and 4) encourage the Legislature, organizations, businesses, and individuals to host or sponsor and attend community events to bring visibility and support to non-governmental organization efforts to recognize and combat human trafficking.

The Board of Supervisors has been very involved and active in recognizing and combatting human trafficking and the commercial sexual exploitation of children (CSEC). Therefore, unless otherwise directed by the Board, consistent with: 1) the Board-approved motion of January 13, 2015, declaring January 2015 to be National Human Trafficking Awareness Month in Los Angeles County; and 2) existing policy to support proposals that develop or enhance programs and services, and increase protections for victims of commercial sexual exploitation, **the Sacramento advocates will support SCR 88.**

There is no support or opposition on file for SCR 88. This measure passed the Senate Floor by a vote of 39 to 0 on August 31, 2015, and it now proceeds to the Assembly.

Status of County Advocacy Legislation

County-supported AB 1051 (Maienschein), which as amended on July 15, 2015, would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity, was held in the Senate Appropriations Committee on August 27, 2015, and it will not proceed this year.

Human Trafficking Legislation of County Interest

AB 15 (Holden), which as amended on July 15, 2015, would extend the statute of limitations by which victims of human trafficking may bring civil lawsuits from within five years to within seven years of the date on which the victim was freed as an adult, and eight years to ten years after attaining majority age for a minor, passed the Senate Appropriations Committee with amendments which are not yet in print, by a vote of 7 to 0 on August 27, 2015. The measure now proceeds to the Senate Floor.

SB 794 (Committee on Human Services), as amended on July 9, 2015, would make statutory changes to ensure State compliance with Federal law under the Preventing Sex Trafficking, and Strengthening Families Act of 2014 (H.R. 4980), which includes new foster care requirements regarding sex trafficking prevention and other provisions to promote adoption and successful adulthood.

Specifically, SB 794 includes provisions to:

- expand the definition of sexual exploitation to include a person who sexually trafficks a child or commercially sexually exploits a child;
- require a case plan for a child or non-minor dependent who is, or is at-risk of becoming, the victim of commercial sexual exploitation, to document the services provided to address that issue;
- require county child welfare agencies and probation departments, on or before September 30, 2016, to develop and implement policies and procedures that require social workers and probation officers to do specified responsibilities, including the following: 1) identify children receiving child welfare services who are, or are at risk of becoming victims of commercial sexual exploitation; 2) determine appropriate services for the identified child or youth; and 3) receive relevant training in the identification, documentation and determination of appropriate services for any identified child or youth;

- require child welfare agencies and county probation departments to immediately notify law enforcement when a minor who is receiving child welfare services and is known or suspected to be the victim of sexual exploitation is missing or has been abducted, so that the incident can be entered into the Federal Bureau of Investigation National Crime Information Center database and reported to the National Center for Missing and Exploited Children;
- eliminate the placement of a dependent child under 16 years of age in another planned permanent living arrangement as a permanency option, and require the court to order a permanent plan of return home, adoption, legal guardianship, or placement with a fit and willing relative; and
- provide that for youth 14 years of age or older, the youth's case plan shall be developed in consultation with the youth.

SB 794 passed the Assembly Appropriations Committee, with amendments which are not yet in print, by a vote of 17 to 0 on August 27, 2015. This measure now proceeds to the Assembly Floor.

We will continue to keep you advised.

SAH:JJ:MR
VE:IGEA:lm

c: All Department Heads
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